

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Matthew Eveland

Case Number: 2:11CR00140-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: March 20, 2006

Type of Supervision: Supervised Release

Original Offense: Possession of One or More Matters
Containing Visual Depictions of Minors Engaged in
Sexually Explicit Conduct, 18 U.S.C. § 2252(a)(4)(B)

Date Supervision Commenced: August 30, 2010

Original Sentence: Prison - 59 Months;
TSR - 60 Months

Date Supervision Expires: August 29, 2015

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 23 You shall be prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other forms that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). Neither shall you enter nor frequent any establishment involved in the sex industry, including but not limited to adult bookstores, massage parlors, and strip clubs. You shall not utilize any sex-related adult telephone numbers. The supervising officer is authorized to monitor compliance in this area by obtaining relative records including but not limited to telephone, Internet, and credit cards.

CAUSE

On August 5, 2013, Mr. Eveland notified the undersigned officer that he had attempted to view pornography over the weekend. Mr. Eveland was unable to view the pornography due to the Internet monitoring software required by the undersigned officer. Mr. Eveland felt he needed to notify the undersigned officer and his sex offender therapist, as he felt it was a major setback in the progress he had made in therapy. A review of Mr. Eveland's special conditions revealed that special condition #4 states that he may not possess, own, use, view, read or frequent places with any sexually explicit material in any form that depicts children under the age of 18.

Special condition #4 does not address viewing sexually explicit material involving adults. The undersigned officer spoke with Mr. Eveland's sex offender therapist regarding this issue. It was recommend that this condition include sexually explicit material of both adults and children. As part of Mr. Eveland's therapy and learning to deal with his issues, he should not view any sexually explicit material.

Prob 12B

Re: Eveland, Matthew

August 19, 2013

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/19/2013

s/Patrick J. Dennis

Patrick J Dennis

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other

s/ Fred Van Sickle

Signature of Judicial Officer

8/21/13

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

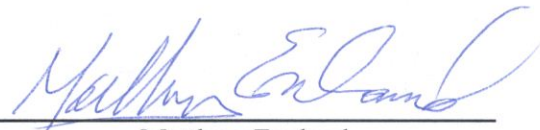
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Witness:


Patrick J Dennis
U.S. Probation Officer

Signed:


Matthew Eveland
Probationer or Supervised Releasee

August 19, 2013

Date